

## **INITIAL STATEMENT OF REASONS**

### **Commission Procedure D-11 Amend *Basic Course Waiver Process***

At the June 23, 2011 meeting, the Commission approved amendments to the Commission Procedure D-11, and the form *Basic Course Waiver Application, POST form 2-267*

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#### **Justification – Regulation 1008**

New effective date updates the incorporation by reference statements for historical accuracy.

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#### **Justification – Commission Procedure D-11**

The Basic Course Waiver (BCW) process is an option for peace officers from other states to meet the Regular Basic Course (RBC) training requirement. The BCW process compares other states' entry level and in-service training to California requirements for entry to the Basic Course Waiver Examination (BCWE). The BCWE can be satisfied by passing a series of tests or successfully completing the Requalification Course (which contains the same tests).

The proposed revision to Procedure D-11 would require that BCW applicants who have a three year or longer break in service to complete the Requalification Course to satisfy the BCWE. Commission Regulation 1008(b) states that an individual who has a three year or longer break in service as a peace officer must requalify before exercising peace officer powers. This would remove the testing option for these applicants and require them to meet the same requalification standard as California trained officers. The proposed revision also clarifies the re-examination procedure. Additionally, the wording of the Privacy Act Language on the BCW application form would be updated and a new field for email and cell phone information would be added.

The proposed revision to Procedure D-11-8 removes the reference to POST-certified Requalification Course presenter in order to direct individuals to the proper location for a Basic Course Waiver Examination (BCWE) reexamination. Procedure D-11-6 states that the BCWE can be acquired through a POST Testing Center. There are several POST-certified Requalification Course presenters but only one POST Test Center.

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#### **Significant Statewide Adverse Economic Impact Directly Affecting California Businesses, Including Small Businesses**

The Commission on Peace Officer Standards and Training has made an initial determination that the amended regulations will not have a significant statewide adverse economic impact directly affecting California businesses, including the ability to compete with businesses in other states. The Commission on Peace Officer Standards and Training has found that the proposed amendments will have no effect on California businesses, including small businesses, because the Commission sets selection and training standards for law enforcement and does not impact California businesses, including small businesses.

#### **Cost Impacts on Representative Private Persons or Businesses**

The Commission on Peace Officer Standards and Training is not aware of any cost impacts that a representative private person or business would necessarily incur in reasonable compliance with this proposed action.

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**Assessment**

The adoption of the proposed regulation amendments will neither create nor eliminate jobs in the state of California and will not result in the elimination of existing businesses or create or expand businesses in the State of California.

**Considerations of Alternatives**

To take this action, the Commission must determine that no reasonable alternative considered by the Commission or otherwise identified and brought to the attention of the Commission, would be more effective in carrying out the purpose for which the action is proposed, or would be as effective as and less burdensome to effected private persons than the proposed action.

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**LEGEND OF RECOMMENDATIONS**  
**Basic Course Wavier Process**  
**January 1, 2012**

- 11-4(a) Reference to Basic Course Waiver Application, POST form 2-267 changed to reflect revision date.
- 11-4(b) Reference to Basic Course Waiver Application, POST form 2-267 changed to reflect revision date.
- Reference to department head deleted because the option is no longer necessary.
- 11-4(c)(1)(B) Reference to Basic Course Waiver Application, POST form 2-267 changed to reflect revision date.
- 11-4(c)(1)(C) Reference to Basic Course Waiver Application, POST form 2-267 changed to reflect revision date.
- 11-4(c)(2)(B) Reference to Basic Course Waiver Application, POST form 2-267 changed to reflect revision date.
- 11-4(c)(2)(C) Reference to Basic Course Waiver Application, POST form 2-267 changed to reflect revision date.
- 11-5 Reference to Basic Course Waiver Application, POST form 2-267 changed to reflect revision date.
- 11-6 Applies the three-year requalification course requirement to out of state Basic Course Waiver candidates to bring them in line with the requirement for California-trained officers.
- 11-7(c) Relates the requirement to the Commission procedure which implements the training, testing, and hourly requirements for the Requalification Course.
- 11-8 Clarifies that the re-examination procedure only applies to the testing option taken at a POST Testing Center.